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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 11-00120 LHK
)	
12 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING HEARING
13 v.)	DATE AND EXCLUDING TIME
)	UNDER THE SPEEDY TRIAL ACT
14 JULIAN CHAVEZ,)	
)	
15 Defendant.)	
_____)	
16		

17 Defendant and the government, through their respective counsel, subject to the court's
18 approval, hereby stipulate that the Court continue the status hearing in the above-captioned
19 matter, presently scheduled for, January 25, 2012 at 10:00 a.m., to February 15, 2012, at
20 10:00 a.m. The reason for the continuance is defense counsel's unavailability because of a recent
21 death in defense counsel's family, and continuity of counsel.

22 The parties further agree and stipulate that time should be excluded from and including
23 January 25, 2012, through and including February 15, 2012, to provide counsel reasonable time
24 to prepare, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv). Accordingly,
25 the United States and the defendant agree that granting the requested exclusion of time will serve
26 the interest of justice and outweigh the interest of the public and defendant in a speedy trial.

1 IT IS SO STIPULATED.

2 Dated: January 4, 2012

3 _____/s/
MANUEL ARAUJO
Assistant Federal Public Defender

4 Dated: January 4, 2012

5 _____/s/
ANN MARIE URSINI
Special Assistant United States Attorney

6
7 **~~[PROPOSED]~~ ORDER**

8
9 GOOD CAUSE APPEARING, and by stipulation of the parties, IT IS HEREBY
10 ORDERED that the status conference hearing in the above-captioned matter shall be continued
11 from January 25, 2011, at 10:00 a.m., to February 15, 2012, at 10:00 a.m.

12 THE COURT FINDS that failing to exclude the time between January 25, 2012, and
13 February 15, 2012, would unreasonably deny the defendant's continuity of counsel, and would
14 unreasonably deny counsel the reasonable time necessary for effective preparation, taking into
15 account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

16 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
17 between January 25, 2012, and February 15, 2012 from computation under the Speedy Trial Act
18 outweigh the interests of the public and the defendant in a speedy trial.

19 THEREFORE, IT IS HEREBY ORDERED that the period of delay from January 25,
20 2012, through and including February 15, 2012, be excluded for purposes of Speedy Trial Act
21 computations pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and
22 3161(h)(7)(B)(iv).

23 IT IS SO ORDERED.

24 Dated: January 6, 2012

25 
HONORABLE LUCY H. KOH
United States District Judge